

PROB 12C
(ILSP 11/11)

UNITED STATES DISTRICT COURT
for the
Southern District of Illinois
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Todd A. Toler

Docket No. 0754 4:15CR40069-001

Register Number: 11791-025

Name of Sentencing Judicial Officer: Honorable J. Phil Gilbert, U.S. District Judge

Date of Original Sentence: August 4, 2016

Original Offense: Ct. 1: Conspiracy to Manufacture Methamphetamine

Original Sentence: Ct. 1: 92 months' Bureau of Prisons; followed by 36 months' Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: February 19, 2021

Custody Status: Mr. Toler remains in the community under supervision. He is out on bond for Pulaski

County case 2023CF69, \$15,000.00 (10%).

Assistant U.S. Attorney: George A. Norwood

Defense Attorney: Melissa A. Day

PETITIONING THE COURT

[X] To issue a **WARRANT**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number

Nature of Noncompliance

Mandatory

The defendant shall not commit another federal, state or local crime.

On or about February 13, 2023, Mr. Toler committed the offense of Driving on Revoked License.

On or about August 30, 2023, Mr. Toler committed the offense of Possession of a Stolen Motor Vehicle.

On or about August 30, 2023, Mr. Toler committed the offense of Obstruction of Justice.

Mandatory

The defendant shall not unlawfully possess a controlled substance.

On August 16, 2021, Mr. Toler verbally admitted possessing controlled substances, methamphetamine and marihuana, on or about August 12, 2021, and August 13, 2021.

On September 22, 2021, Mr. Toler possessed a controlled substance in that he tested positive for marihuana by urinalysis.

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On March 23, 2022, Mr. Toler admitted to possessing a controlled substance, methamphetamine, on or about March 21, 2022.

On May 19, 2022, Mr. Toler verbally admitted possessing a controlled substance, marihuana, on or about May 17, 2022.

On July 9, 2022, Mr. Toler admitted possessing a controlled substance, marihuana, on or about July 4, 2022.

On August 30, 2023, Mr. Toler verbally admitted possessing controlled substances, methamphetamine and marihuana, on or about August 29, 2023.

Administrative

The defendant shall report to the probation officer in a reasonable manner and frequency directed by the Court or probation officer.

Mr. Toler failed to submit a monthly written report for the month of April 2021.

Administrative

The defendant shall not knowingly meet, communicate, or otherwise interact with a person whom the defendant knows to be engaged, or planning to be engaged, in criminal activity.

On August 16, 2021, Mr. Toler was with a person he knew was engaged in criminal activity, the possession of methamphetamine and marihuana, on or about August 12, 2021.

On August 30, 2023, Mr. Toler was with a person he knew was engaged in criminal activity, the possession of methamphetamine, on or about August 29, 2023.

Administrative

The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

Mr. Toler failed to notify his probation officer within 72 hours, that on February 13, 2023, he was questioned by Johnson County Sheriff's Department.

Special

The defendant shall participate in treatment for narcotic addiction, drug dependence, or alcohol dependence, which includes urinalysis and/or other drug detection measures and which may require residence and/or participation in a residential treatment facility, or residential reentry center (halfway house). The number of drug tests shall not exceed 52 tests in a one-year period. Any participation will require complete abstinence from all alcoholic beverages and any other substances for the purpose of intoxication. The defendant shall pay for the costs associated with services rendered, based on a Court approved sliding fee scale and the defendant's ability to pay. The defendant's financial

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obligation shall never exceed the total cost of services rendered. The Court directs the probation officer to approve the treatment provider and, in consultation with a licensed practitioner, the frequency and duration of counseling sessions, and the duration of treatment, as well as monitor the defendant's participation, and assist in the collection of the defendant's copayment.

Mr. Toler failed to participate in a program for substance abuse in that he failed to report for counseling on May 25, 2022, June 15, 2022; June 30, 2022; August 9, 2022; August 30, 2022; September 20, 2022; November 15, 2022; February 21, 2023; February 28, 2023; March 28, 2023; April 11, 2023; May 2, 2023; May 9, 2023; June 6, 2023; June 27, 2023; July 18, 2023; and July 25, 2023.

U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ revoked
- ☐ extended for * years, for a total term of * years.
- ☐ The conditions of supervision should be modified as follows:
- ☐ Other

I declare under penalty of perjury that the forgoing is true and correct.



by _____
Tiffany J. Sauls
U.S. Probation Officer

Date: September 6, 2023

This document has been reviewed and approved.



by _____
Jay Wheeler
Supervisory U.S. Probation Officer

Date: September 6, 2023

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THE COURT ORDERS:

- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Honorable J. Phil Gilbert
U.S. District Judge

9/6/2023

Date